

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re New CONTINUATION Patent Application of:)
)
Wilhelm FRANK, *et al.*)
)
Prior Application No.: 09/743,183 (filed 14 May 2001))
)
Continuation Application No.: Concurrently Herewith) Group Art Unit: 3754
)
For: **PROCEDURE FOR POSITIONING THE**) Examiner: M. Cartagena
 ACTUATING DRIVE IN A FUEL INJECTOR)
 AND DEVICE FOR PERFORMING THE)
 PROCEDURE)

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **Mail Stop Patent Application**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. These documents were cited in the parent application, Application No. 09/743,183. In accordance with 37 C.F.R. § 1.98(d), copies of these documents are not enclosed. Applicants respectfully request that the Examiner consider these documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior

United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

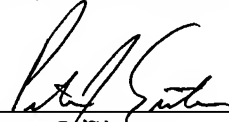
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** -in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: _____


Peter J. Sistare
Reg. No. 48,183

Dated: January 16, 2004

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**INFORMATION DISCLOSURE
CITATION**

(Use several sheets if necessary)

PTO Form 1449

Attorney Docket No.

051480-5043-01

Application No.:

Continuation of 09/743,183

Applicants: Wilhelm FRANK, *et al.*

Filing Date: January 16, 2004

Group Art Unit: 3754

U.S. PATENT DOCUMENTS

*Examiner Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
		5,779,149	07/14/1998				
		5,740,969	04/21/1998				

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub Class	<u>Translation</u> YES NO	
		0 916 843	05/19/1999	Europe				
		99/17014	04/08/1999	WIPO				
		197 02 066	07/23/1998	Germany				
		0 816 670	01/07/1998	Europe				
		197 42 943	09/24/1997	Germany				
		195 38 791	04/24/1997	Germany				
		44 34 892	04/11/1996	Germany				
		195 19 192	05/24/1995	Germany				
		43 06 072	09/08/1994	Germany				
		3533 521	04/02/1987	Germany				
		0 199 632	10/29/1986	Europe				

Examiner

Date Considered

Examiner:

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

PJS/tlp

January 16, 2004

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